



IT CORPORATION



March 1st, 1983

Mr. Charles A. White
Regional Administrator
CA Department of Health Services
Hazardous Waste Management Branch
2151 Berkeley Way
Berkeley, CA 94704

Dear Mr. White:

Enclosed please find the Operations Plan for IT Corporation's Vine Hill Facility as per your request. This Plan was completed in accordance with the "Instructions For Preparing An Operation Plan For A Hazardous Waste Facility" dated November 1981. As this is an existing facility, some areas of the instructions were not applicable and were not included in this Plan.

If you require any supplemental or clarifying information related to this Plan, please contact Mr. Mark Posson at (415) 228-5100.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'D L Bauer'.

David L. Bauer
Vice President
Environmental Affairs

DLB/MP/kg
Enclosure

Vent System

The vent system is designed as a vapor recovery system for the tank farm and treatment areas. Vapors are collected from each associated tank through a vent pipe heater system. The vapors are carried to one of two incinerators. The vapors pass through a caustic scrubbing system prior to the large incinerator and through a post-combustion scrubber in the case of the small incinerator.

Tank Description

Table VI-1 describes each tank used for the treatment and/or storage of hazardous waste. Table VI-2 describes other tanks present at the facility. Figure VI-1 illustrates the tank and piping diagrams for the treatment area of the facility.

Each tank is identified by tank number and by a DOT placard which displays both the hazard class and either the United Nations or North American identification number of the material contained in the individual tank.

Table VI-1 specifies the certification dates for each tank. As the facility is an existing facility, a schedule of compliance has been developed for tank certification. The following excerpt from the certification procedure describes the compliance schedule.

IT Corporation preventative maintenance policies provide for all tanks to be removed from service on various frequencies for repairs and cleaning. In addition, routine maintenance on tanks and systems many times results in tanks being out-of-service. Here, out-of-service refers to a tank that has been emptied, cleaned and prepared for entry. To avoid unnecessary and unwarranted downtime, tank certification tests and inspections will be done only when tanks are out of service due to preventative or routine maintenance. When a number of tanks are

TABLE VI-1. TANK DESCRIPTION

<u>Tank #</u>	<u>Certification/Test Date</u>	<u>Capacity (Gallon)</u>	<u>Use</u>	<u>Dimensions (Dia. & Ht.)</u>	<u>Shell Thickness</u>	<u>Shell Construction</u>	<u>Lining</u>	<u>Vapor Recovery</u>
1		15,282	Waste Acid	10'0"x26'0"		Mild Steel	Hypalon	Yes
2		18,220	Waste Acid	10'0"x30'0"	.449"-.672"	Mild Steel	Hypalon	Yes
3		18,220	Waste Acid	10'0"x30'0"		Mild Steel	--	--
4		5,034	Conc. H ₂ SO ₄	8'x13'9"		Mild Steel	None	No
5		10,549	Conc. H ₂ SO ₄	9'1"x22'10"		Mild Steel	None	No
11		23,018	Calcium Carbonate	18'1"x12'0"	.140"-.180"	Mild Steel	None	Yes
12		23,018	Waste Caustic	18'1"x12'0"	.257"-.195"	Mild Steel	None	Yes
13		22,512	Waste Caustic	18'0"x11'10"	.250"-.186"	Mild Steel	None	Yes
14		22,512	Waste Caustic	18'0"x11'10"		Mild Steel	Placite	Yes
15	10/26/82	17,699	Waste Caustic	15'10"x12'1"	.220"-.290"	Mild Steel	None	Yes
16		17,879	Waste Caustic	15'10"x12'2"	.323"-.250"	Mild Steel	None	Yes
17		18,000	Waste Caustic	15'10"x12'2"		Mild Steel	None	Yes
18		17,757	Waste Caustic	15'10"x12'1"	.180"-.240"	Mild Steel	None	Yes
19		17,849	Waste Solvent	15'10"x12'2"		Mild Steel	None	Yes
20		17,879	Waste Solvent	15'10"x12'2"		Mild Steel	None	Yes
21		17,939	Waste Fuel	15'10"x12'2"	.304"-.229"	Mild Steel	Placite	Yes
22		17,939	Waste Fuel	15'10"x12'2"		Mild Steel	None	Yes

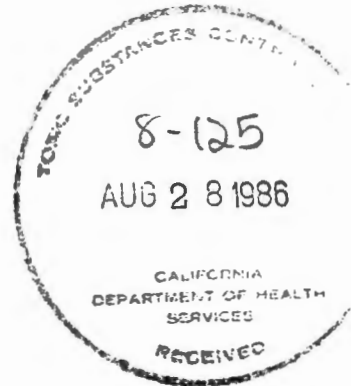


INTERNATIONAL
TECHNOLOGY
CORPORATION

August 27, 1986

Mr. Douglas Krause
Department of Health Services
2151 Berkeley Way, Annex, 7
Berkeley, CA 94704

Mr. Barney Griswald
Bay Area Air Quality
Management District
939 Ellis Street
San Francisco, CA 94109



RE: REPORT OF TANK 16 INCIDENT PURSUANT TO SECTION 67145 (j) of the CALIFORNIA ADMINISTRATIVE CODE, TITLE 22

Dear Mr. Krause:

On August 12, 1986 at approximately 3:00 p.m. an incident occurred at IT's Vine Hill Treatment Facility requiring the implementation of the facility's Contingency Plan. Tank number 16 became overpressurized due to an unanticipated chemical reaction between an oil/water mixture and hydrogen peroxide. The oil and water mixture was being treated to convert hydrogen sulfides to sulfates. This reaction caused the waste material to overflow the tank and activate the pressure relief valve. The material was released to a maximum estimated height of 15 to 20 feet above the tank roof causing surfaces of nearby equipment and buildings to be covered with the material. The waste analysis of the three loads of waste placed in Tank 16 are in Attachment 1.

The facility's Contingency Plan was immediately implemented. All personnel were notified to clear the affected area via the facility's loudspeaker. No injuries resulted from the incident. The Department of Health Services, Bay Area Air Quality Management District and the Contra Costa County Fire Marshal were notified of the incident. No outside assistance was required.

Prior to the incident, Tank 16 contained approximately 13,125 gallons of waste material. After the incident the tank contained approximately 7,875 gallons. Of the 5,250 gallons released from the tank, only 50 to 100 gallons of waste material was released outside of the tank's containment area.

The 5,150 to 5,200 gallons of waste material captured in the tank's containment area was removed via a vacuum truck and discharged to Tank 23 for treatment. The remaining 50 to 100 gallons of waste material released in the nearby area was contained and absorbed with sorbent.

D. Krause/
B. Griswald
8/27/86
Page 2

The affected nearby equipment and buildings were decontaminated with a steam cleaner. The decontamination of the buildings was verified by personnel from Health and Safety, Environmental Affairs, and Plant Operations. All contaminated sorbent and soil were removed with a front-end loader and placed into a dump truck. Approximately thirty-five (35) cubic yards of contaminated soil and sorbent (two loads of 15 cu. yards and one of 5 cu. yards), were manifested and shipped to Casmalia Disposal Site in Casmalia, California. (Copies of manifests are in Attachment 2.)

The following information relates to the owner/operator and address of the facility where the incident occurred.

Owner/Operator International Technology Corporation
23456 Hawthorne Boulevard
Torrance, California 90505
(213) 378-9933

Facility Address Vine Hill Treatment Complex
896 Waterbird Way
Martinez, California 94553
(415) 372-9100

If you require further information concerning this incident, please don't hesitate to contact me.

Sincerely,



G. Douglas Clark
Regional Director
Environmental Affairs

GDC:ECD:js
LTR:0207

Attachments

cc: Art Braufman
Hal Connors
Howard Culver
Eric Diethelm
John Schaffer

Attachment 1

Analyses of Waste Material in Tank 16



INTERNATIONAL
TECHNOLOGY
CORPORATION

TREATMENT/DISPOSAL LOCATION FORM

Document No. 101512

Site <input checked="" type="checkbox"/> Tank Unloading Station <input checked="" type="checkbox"/> Pond Designated By <u>WJH</u>		DRIVER PROTECTION GEAR REQUIRED		H & S REQUIREMENTS <input checked="" type="checkbox"/> Respiratory Protection <input checked="" type="checkbox"/> Hard Hat <input type="checkbox"/> Other _____		Goggles or <input checked="" type="checkbox"/> Face Shield <input checked="" type="checkbox"/> Gloves <input type="checkbox"/> Protective Clothing <input type="checkbox"/> Rubber Boots	
Generator		Hauler		Driver		FOR WASHOUT: <input type="checkbox"/> Face Shield <input type="checkbox"/> Gear <input type="checkbox"/> Rubber Gloves	
Material Description <u>WJH</u>		Date and Time Sample Received <u>8-11-86</u>		Sample No. <u>1.8</u>		Time Dispatched to Location	
Date <u>8-11-86</u>		Job No. <u>—</u>		Phase		Task	
Profit Center <u>2472</u>		Disposal Site Type <input checked="" type="checkbox"/> TK <input type="checkbox"/> PD <input type="checkbox"/> LF		Waste Manifest No. <u>8642504</u>		Generated Out of State <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	
Intersite Transfer <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Waste Stream No. <u>4798</u>		Hazardous Classification <u>H</u>		Product Code <u>DL003</u>	
Qty. <u>5100</u>		U.O.M.		Actual Tons Disposed		OFFICE USE: Minimum Disposal Charge <input type="checkbox"/> Y <input type="checkbox"/> N Minimum Disposal Tax <input type="checkbox"/> Y <input type="checkbox"/> N	
COMMENTS: <u>5.2 in Ag. row</u> <u>- 800 pm</u>		SPLIT LOAD		SITE 1 <u>—</u> QTY 1 <u>—</u> UNIT <u>—</u> SITE 2 <u>—</u> QTY 2 <u>—</u> UNIT <u>—</u>		Consistency	
Odor		Analyst <u>J. M. Long</u>					

CONTENTS

Concentration	Charge Y/N
pH Level <u>7.6</u>	
Density <u>1000</u> G/L	
Normality (NM) <u>1.10</u> N	
HCVP (HC) <u>20</u> PPM	
Phenols (PN) <u>210</u> PPM	
Sulfides (SL) <u>80</u> PPM	
Cyanides (CN) <u>210</u> PPM	
Ammonia (AM) <u>540</u> PPM	
Formaldehyde (FD) <u>1.10</u> PPM	
Oil (OL) <u>2</u> %	
Solids (SD) <u>—</u> %	
Solids on Neutralization (SN) <u>—</u> %	

SOLVENTS

Polar (PL)	% <u>—</u>
Nonpolar (NP)	% <u>—</u>
Halogenated (HA)	% <u>2.10</u>

OTHER CONTENTS

Site Monitoring (MO)	EA <u>—</u>
<u>1-2-5 MDC 1</u>	

OTHER CHARGES

Product Code	Description	U.O.M.	Qty.	Chg. Y/N	Employee #/ Equip ID#
	Washout				
	Callout				
	Special Handling				
	Holiday Callout				
	TR Pre-Disposal				

SOLIDS

% Floating	= <u>—</u>
% Suspended	= <u>—</u>
% Settled	= <u>—</u>
% Other	= <u>—</u>

METALS

Concentration	Charge Y/N
Nickel (NI) <u>510</u>	
Lead (PB)	
Mercury (HG)	
Cadmium (CD)	
Selenium (SE)	
Chromium (CR)	
Arsenic (AS)	
Thallium (TL)	
Copper (CU)	

OTHER METALS

<u>Berkelium</u>	
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Site <u>16</u> Tank <input checked="" type="checkbox"/> Pond <input type="checkbox"/> Landfill <input type="checkbox"/>		DRIVER PROTECTION GEAR REQUIRED		H & S REQUIREMENTS Respiratory <input type="checkbox"/> Protection <input type="checkbox"/> Hard <input type="checkbox"/> Hat <input type="checkbox"/> Other <input type="checkbox"/>		Goggles or <input checked="" type="checkbox"/> Face Shield <input checked="" type="checkbox"/> Gloves <input type="checkbox"/> Protective <input type="checkbox"/> Clothing <input type="checkbox"/>	
Unloading Station <u>16/5A</u>				FOR WASHOUT: <input type="checkbox"/> Face Shield <input type="checkbox"/> Gear <input type="checkbox"/> Rubber Gloves			
Designated By <u>16/5A</u>							
Generator							
Hauler							
Driver							
Material Description <u>oil/H₂O</u>							
Date and Time Sample Received							
Sample No. <u>16</u>							
Time Dispatched to Location							
Date <u>8-11-86</u>							
Job No.							
Phase		Task		Sub-Task			
Profit Center <u>2472</u>							
Disposal Site Type <input checked="" type="checkbox"/> TR <input type="checkbox"/> PD <input type="checkbox"/> LF <input type="checkbox"/>							
Waste Manifest No. <u>86491212</u>							
Generated Out of State <input type="checkbox"/> Y <input checked="" type="checkbox"/> N							
Intersite Transfer <input type="checkbox"/> Y <input checked="" type="checkbox"/> N							
Waste Stream No. <u>4798</u>							
Hazardous Classification <u>H</u>							
Product Code <u>0L003</u>							
Qty. <u>4200</u>		U.O.M. <u>6</u>					
Actual Tons Disposed							
OFFICE USE: Minimum Disposal Charge <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> Minimum Disposal Tax <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/>							
COMMENTS: <u>Oil is medium thick Flammable</u>							
SPLIT LOAD		SITE 1 <u>2</u>		QTY 1 <u>2</u>		UNIT <u>UNIT</u>	
Consistency		Odor		Analyst <u>CM</u>			

Site <u>VH</u>		<input checked="" type="checkbox"/> Tank <input type="checkbox"/> Pond <input type="checkbox"/> Landfill	DRIVER PROTECTION GEAR REQUIRED		H & S REQUIREMENTS Respiratory <input type="checkbox"/> Protection Hard <input type="checkbox"/> Hat <input type="checkbox"/> Other _____		Goggles or <input checked="" type="checkbox"/> Face Shield <input checked="" type="checkbox"/> Gloves <input type="checkbox"/> Protective Clothing <input type="checkbox"/> Boots	
Unloading Station <u>TK-16</u>			FOR WASHOUT: <input type="checkbox"/> Face Shield <input type="checkbox"/> Gear <input type="checkbox"/> Rubber Gloves					
Designated By <u>SA/12/10/86</u>								
Generator			CONTENTS Concentration Charge Y/N				SOLIDS % Floating = _____ % Suspended = _____ % Settled = _____ % Other = _____	
Hauler								
Driver			pH Level <u>7.6</u>					
Material Description <u>oil/H2O</u>			Density <u>900</u> G/L					
			Normality (NM) <u>N/A</u> N					
Date and Time Sample Received			HCVP (HC) <u>20</u> PPM					
Sample No. <u>(17)</u>			Phenols (PN) <u>N/D</u> PPM				METALS Concentration Charge Y/N	
			Sulfides (SL) <u>140</u> PPM					
Time Dispatched to Location			Cyanides (CN) <u>N/D</u> PPM				Nickel (NI) _____	
Date <u>8-12-86</u>			Ammonia (AM) <u>N/D</u> PPM				Lead (PB) _____	
Job No. _____			Formaldehyde (FD) <u>N/D</u> PPM				Mercury (HG) _____	
Phase Task Sub-Task			Oil (OL) <u>90</u> %				Cadmium (CD) _____	
Profit Center <u>2472</u>			Solids (SD) <u>0</u> %				Selenium (SE) _____	
Disposal Site Type <u>TK</u> <input type="checkbox"/> PD <input type="checkbox"/> LF <input type="checkbox"/>			Solids on Neutralization (SN) <u>0</u> %				Chromium (CR) _____	
Waste Manifest No. <u>84571128</u>			SOLVENTS				Arsenic (AS) _____	
Generated Out of State <input type="checkbox"/> Y <input checked="" type="checkbox"/> N			Polar (PL) _____ %				Thallium (TL) _____	
Interstate Transfer <input type="checkbox"/> Y <input checked="" type="checkbox"/> N			Nonpolar (NP) _____ %				Copper (CU) _____	
Waste Stream No. <u>4798</u>			Halogenated (HA) <u>N/D</u> %				OTHER METALS	
Hazardous Classification <u>H</u>			OTHER CONTENTS				_____	
Product Code <u>DL003</u>			Site Monitoring (MO) <u>7 CES N/D < 1</u> EA				_____	
Qty. <u>4200</u> U.O.M. <u>Gal</u>			_____				_____	
Actual Tons Disposed			_____				_____	
OFFICE USE:			OTHER CHARGES				_____	
Minimum Disposal Charge <input type="checkbox"/> Y <input type="checkbox"/> N			Product Code Description U.O.M. Qty. Chg. Y/N Employee #/ Equip ID#				_____	
Minimum Disposal Tax <input type="checkbox"/> Y <input type="checkbox"/> N			_____ Washout _____				_____	
			_____ Callout _____				_____	
			_____ Special Handling _____				_____	
			_____ Holiday Callout _____				_____	
			_____ TR Pre-Disposal _____				_____	
COMMENTS:			SPLIT LOAD SITE 1 QTY 1 UNIT				UNIT	
<u>8-2 in aqueous = 140</u>			<u>2</u> <u>2</u> <u>2</u> <u>UNIT</u>				<u>UNIT</u>	
<u>oil flammable</u>								
Consistency			Odor		Analyst <u>[Signature]</u>			

Attachment 2

Manifests for Contaminated Sorbent and Soil
Shipped to Casmalia Disposal Facility

MN24720A-1-1

Please print or type (Form designed for use on elite (12-pitch) typewriter.)

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. CA D 0 0 0 0 9 4 7 7 1		Manifest Document No.		2. Page 1 of 1		Information in the shaded areas is not required by Federal law.					
3. Generator's Name and Mailing Address IT Corporation @ Vine Hill Complex 896 Waterbird Way, Martinez, CA 94553						A.State Manifest Document Number 84909462							
4. Generator's Phone (415) 372372-9100						B.State Generator's ID CA D 0 0 0 9 4 7 7 1							
5. Transporter 1 Company Name IT Transportation - Benicia			6. US EPA ID Number CA D 9 6 0 8 8 7 2 0 2			C.State Transporter's ID 4 1 1 2 8 7							
7. Transporter 2 Company Name			8. US EPA ID Number			D.Transporter's Phone 705-846-							
9. Designated Facility Name and Site Address Casmalia Disposal Site NTU Road Casmalia, CA 93108						E.State Transporter's ID							
						F.Transporter's Phone							
10. US EPA ID Number CA D 0 2 0 7 4 2 1 2 5						G.State Facility's ID							
						H.Facility's Phone							
11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)						12.Containers		13. Total Quantity		14. Unit Wt/Vol		1. Waste No.	
a. Hazardous Waste Solid N.O.S. 02K-E NA0189						0 1 DT		155Cu		Y		611	
b.													
c.													
d.													
J. Additional Descriptions for Materials Listed Above Contaminated Soil with Waste Oil						K.Handling Codes for Wastes Listed Above							
15. Special Handling Instructions and Additional Information Gloves and Goggles Required													
16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national governmental regulations.										Date			
Printed/Typed Name [Signature]					Signature [Signature]					Month Day Year [Signature]			
17. Transporter 1 Acknowledgement of Receipt of Materials										Date			
Printed/Typed Name [Signature]					Signature [Signature]					Month Day Year 05/18/96			
18. Transporter 2 Acknowledgement of Receipt of Materials										Date			
Printed/Typed Name					Signature					Month Day Year			
19. Discrepancy Indication Space													
20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19.										Date			
Printed/Typed Name					Signature					Month Day Year			

MN2472)A-1-1

Please print or type (Form designed for use on elite (12-pitch) typewriter.)

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No.	Manifest Document No.	2. Page 1 of	Information in the shaded areas is not required by Federal law.
3. Generator's Name and Mailing Address IT Corporation - Vine Hill Complex 896 Waterbird Way, Martinez, CA 94553		1. Generator's US EPA ID No. CAD000094771		A. State Manifest Document Number 84909463	
4. Generator's Phone 415 372-9100		6. US EPA ID Number		B. State Generator's ID CAD000094771	
5. Transporter 1 Company Name IT Transportation - Benicia		6. US EPA ID Number CAD980887202		C. State Transporter's ID 106450	
7. Transporter 2 Company Name		8. US EPA ID Number		D. Transporter's Phone	
9. Designated Facility Name and Site Address Casmalia Disposal Site NTU Road Casmalia, CA 93108		10. US EPA ID Number CAD020748125		E. State Transporter's ID	
				F. Transporter's Phone	
				G. State Facility's ID	
				H. Facility's Phone	
11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)		12. Containers No.	Type	13. Total Quantity	14. Unit Wt/Vol
a. Hazardous Waste Solid H.O.S. ORM-E NA9189		01	DT	13 Cu	Y
b.					
c.					
d.					
J. Additional Descriptions for Materials Listed Above Contaminated Soil with Waste Oil		K. Handling Codes for Wastes Listed Above			
15. Special Handling Instructions and Additional Information Gloves and Goggles Required					
16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national governmental regulations.					
Printed/Typed Name [Signature]		Signature [Signature]		Date 7-11-86	
17. Transporter 1 Acknowledgement of Receipt of Materials				Date	
Printed/Typed Name JOE LICKER		Signature [Signature]		Month Day Year 00 18 86	
18. Transporter 2 Acknowledgement of Receipt of Materials				Date	
Printed/Typed Name		Signature		Month Day Year	
19. Discrepancy Indication Space					
20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19.					
Printed/Typed Name		Signature		Date Month Day Year	

JOE 10027720 A-1-1

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No.	Manifest Document No.	2. Page 1 of	Information in the shaded areas is not required by Federal law.	
3. Generator's Name and Mailing Address ITCORP - VINE HILL COMPLEX 896 WATERBIRD WAY MARTINEZ, CA 94553		1. Generator's US EPA ID No. CAAD010100447711		A. State Manifest Document Number 86494003		B. State Generator's ID
4. Generator's Phone ()		6. US EPA ID Number CAADH18081973012		C. State Transporter's ID 706851		D. Transporter's Phone
5. Transporter 1 Company Name IT TRANSPORT BENICIA		8. US EPA ID Number		E. State Transporter's ID		F. Transporter's Phone
7. Transporter 2 Company Name		10. US EPA ID Number		G. State Facility's ID		H. Facility's Phone
9. Designated Facility Name and Site Address CASIMIA DISPOSAL SITE NTU ROAD CASIMIA, CA 93108		10. US EPA ID Number CAAD10207481125		G. State Facility's ID		H. Facility's Phone
11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)			12. Containers No.	13. Total Quantity	14. Unit Wt/Vol	Waste No.
HAZARDOUS WASTE SOLID N.O.S. ORM-E NA9189			0101 DT	15 Y		611
J. Additional Descriptions for Materials Listed Above			K. Handling Codes for Wastes Listed Above			
CONTAMINATED SOIL WITH WASTE OIL						
15. Special Handling Instructions and Additional Information GLOVES + GOGGLES REQUIRED						
16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable International and national government regulations. Unless I am a small quantity generator who has been exempted by statute or regulation from the duty to make a waste minimization certification under Section 3002(b) of RCRA, I also certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and I have selected the method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment.						
Printed/Typed Name Dwight Gaston			Signature Dwight Gaston		Month Day Year 10/8/1986	
17. Transporter 1 Acknowledgement of Receipt of Materials			Signature Dwight Gaston		Month Day Year 10/8/1986	
18. Transporter 2 Acknowledgement of Receipt of Materials			Signature		Month Day Year	
19. Discrepancy Indication Space						
20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19.						
Printed/Typed Name			Signature		Month Day Year	

GENERATOR

TRANSPORTER

FACILITY

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION

1111 JACKSON STREET, ROOM 6040

OAKLAND 94607

Phone: Area Code 415
464-1255

December 31, 1981

File No. 2321.1023 (WKB) vjw

Mr. David F. Gilbert, Manager
E.I. DuPont DeNemours & Company
Antioch Works
P. O. Box 310
Antioch, CA 94509

Mr. Murray H. Hutchison
I.T. Corporation
336 W. Anaheim Blvd.
Wilmington, CA 90744

Gentlemen:

This letter concerns the reports submitted by DuPont regarding the tetra-ethyl lead (TEL) pond at IT Corporation's Vine Hill Site. Both Department of Health Services and State and Regional Board staff have reviewed the data and it is the opinion of these agencies that the reports' conclusions that the TEL waste is being contained is not supported by the data.

The data, and other statements in the reports, raise questions which will have to be answered before conclusions can be reached on the site's short and long term ability to contain these wastes such that they will not pose any threat to public health or the environment as a result of movement from the site or releases to the atmosphere. The attached contains specific questions which appeared when reviewing the reports. The Regional Board also believes that the data raises serious questions regarding the ability of the Vine Hill site to provide waste containment which must be addressed by IT Corporation in order to demonstrate compliance with Waste Discharge Requirements, Order No. 78-76.

We request that a meeting be arranged with all parties as soon as possible, but no later than thirty days after the date of this letter, to discuss the attached concerns and their implications for possible further investigations.

If you have any questions please contact Michael Kiado at the Department of Health Services at (916) 322-2337 or Wil Bruhns at the San Francisco Bay Regional Water Quality Control Board at (415) 464-0903.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Fred H. Dierker'.

FRED H. DIERKER
Executive Officer

Attachment

cc: Mr. Peter Rogers, DOHS-HWMB, Sacramento
Mr. Michael Kiado, DOHS-HWMB, Sacramento
Ms. Beverlee Myers, Director, DOHS, Sacramento
Greg Walker, Region 5
Gil Torres, SWRCB
Elgar Stevens, DOHS-HWMB, Sacramento ✓

ATTACHMENT TO DECEMBER 1981 LETTER

Questions and concerns raised by review of reports submitted by DuPont concerning TEL disposal at IT Corporation Vine Hill Site.

1. All borings on the perimeter of Pond 100 show higher levels of TEL and lead at the fill-Bay mud interface than above or below the interface ("Lead Results" report). The report does not discuss this data. We believe it may indicate vertical movement to this interface and lateral movement of wastes along the interface.
2. TEL was found in some borings (nos. 6, 7, 12, 13, 15, 16, 20, 21, 23, 24, 25, 26, 31, 32, 33, B5, B8, B10) at depth in the Bay muds and in some cases down to and into bedrock. This data was not discussed in the report. We believe it may indicate extensive vertical and horizontal migration of TEL from Pond 100.
3. The presentation charts note that 20% of Pond 100 contents are "misc." These should be further identified. This is significant since the laboratory studies showing that TEL and lead do not migrate through soil used water as the carrying medium. However, the pond could contain chemicals which would enhance TEL and Pb migration through soil. Also the soil used in the laboratory studies does not match the soils at the Vine Hill Site. If this finding is to be used to document lack of movement you should clearly demonstrate a correlation between the laboratory and on-site soil types.
4. Borings at the edge of the study area indicated TEL in the soil up to 600 feet laterally and 87 feet vertically from Pond 100. We believe borings should be extended in all directions to determine the lateral and vertical extent of waste movement.
5. "Lead Results" report notes that "fluid" drawn from 16 foot depth in Bay muds, Boring B-3, contained 323 ppm TEL and 8200 ppm lead. Please supply a complete analysis of this fluid.
6. Borings data from Volume 1 of the Geotechnical Report show that in borings 9, 9A, 11, B3, and B9 there were petroleum products below the fill in Bay muds. This appears to indicate that wastes can and have migrated through the Bay muds. Please discuss this finding in regards to the ability of the site to provide containment of all wastes.
7. The presentation chart states that some peat and clay permeability may be as high as 1×10^{-4} cm/sec. This should be elaborated on. Also, horizontal permeabilities were measured but the results not reported. Please provide this data.
8. The presentation charts note that a seismic survey of Pond 100 was done to determine its depth. The results of that survey are not listed and should be provided.
9. The Geotechnical Report Volume 1 states that the P wells are still in place. During an inspection with a representative of IT-Corporation these wells could not be found. If the wells are still there, groundwater should be sampled and analyzed for TEL, lead and volatile organics and the results provided.

10. A registered engineer or engineering geologist with experience in dealing with hydrogeological aspects of waste migration should make an overall evaluation of the data in this report and any subsequent data which may be collected. In addition, the evaluation should consider earthquakes, faulting, hydrogeology, surface-water hydrology, site disturbance due off-site events, etc. Based on these evaluations definite conclusions should be made concerning this site's ability to contain the TEL waste.

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8 UNITED STATES
9 ENVIRONMENTAL PROTECTION AGENCY
10 REGION 9

11 In the Matter of) Docket No. RCRA-09-84-00⁴²~~3~~
12 IT CORPORATION,)
13 (VINE HILL FACILITY)) DETERMINATION OF VIOLATION
14) COMPLIANCE ORDER
15) AND
16) NOTICE OF RIGHT TO
17 Respondent.) REQUEST A HEARING

18 DETERMINATION OF VIOLATION

19 A. INTRODUCTION*

20 1. This is a civil administrative action instituted pursuant
21 to Section 3008(a)(1) of the Resource Conservation and Recovery
22 Act (RCRA), as amended, 42 USC 6928(a)(1), and the Consolidated
23 Rules of Practices Governing the Administrative Assessment of
24 Civil Penalties and the Revocation or Suspension of Permits,
25 40 CFR Part 22. Complainant is the United States Environmental
26 Protection Agency Region 9 (EPA). Respondent is IT Corporation.
27 2. IT Corporation (IT), a California Corporation, is a "person"
28 as defined in Section 1004(15) of RCRA, 42 USC 6903(15),
40 CFR 260.10 and 270.2, and Section 25116 of the California
Health and Safety Code (H&SC), and is the "owner" and "operator,"
as defined in 40 CFR 260.10 and 270.2, of the Vine Hill Disposal

1 Facility, 986 Waterbird Way, Martinez, California, EPA Identifi-
2 cation Number CAD000094771 (Facility).

3 3. On or about April 12 and 13, 1984, EPA and the California
4 Department of Health Services (DOHS) conducted an inspection at
5 the Facility and has reason to believe Respondent is in violation
6 of Chapter 6.5 of Division 20 of the H&SC and Section 3004 of
7 RCRA, 42 USC 6924.

8 4. By letter dated August 3, 1984, EPA gave notice of these
9 violations to DOHS, as required by Section 3008(a)(2) of RCRA,
10 42 USC 6928(a)(2).

11 B. JURISDICTION

12 5. On or about August 18, 1980, pursuant to Section 3010 of
13 RCRA, Respondent notified EPA that it generated, treated, stored
14 or disposed of hazardous waste identified or listed under the
15 authority of Subtitle C of RCRA and 40 CFR Part 261 (hazardous
16 waste) at the Facility, and therefore is subject to the interim
17 status standards or owners and operators of hazardous waste
18 facilities as required by 40 CFR Part 265 and Section 3004 of
19 RCRA, 42 USC 6924.

20 6. Federal regulations establishing interim status standards
21 for owners and operators of hazardous waste treatment, storage
22 and disposal facilities became effective on November 19, 1980,
23 40 CFR Part 265.

24 7. On November 18, 1980, pursuant to Section 3005 of RCRA,
25 42 USC 6925, and 40 CFR 270.10(e)(3), Respondent submitted to
26 Complainant Part A of the RCRA permit application.

27 8. On April 6, 1981, DOHS imposed interim status standards of
28 operation on the Facility by means of an Interim Status Document

1 (ISD) issued pursuant to Section 25200.5 of the H&SC.

2 9. On June 4, 1981, EPA awarded to the State of California
3 Phase I Interim Authorization to administer the RCRA hazardous
4 waste program as provided by Section 3006(b) of RCRA and 40 CFR
5 Part 271, Subpart B (formerly Part 123, Subpart F). Phase I
6 Interim Authorization requires, inter alia, that the State of
7 California impose interim status standards as required under
8 RCRA Section 3004, 42 USC 6924.

9 10. On January 11, 1983, EPA awarded to the State of California
10 Phase II-A Interim Authorization to administer standards for storage
11 and treatment facilities (excluding surface impoundments) as
12 provided by Section 3006(b) of RCRA and 40 CFR Part 271, Subpart
13 A.

14 11. On September 26, 1983, the State of California issued a Final
15 Hazardous Waste Facility Permit (permit), which authorizes the
16 storage and/or treatment of hazardous wastes under the conditions
17 specified in the permit.

18 12. In accordance with General Condition 1.1 of the ISD, Respond-
19 ents are subject to certain federal regulations pursuant to
20 Section 25159.6 of the H&SC, which provides, in pertinent part,
21 that

22 [u]ntil such time as the department [i.e., DOHS] adopts
23 standards and regulations corresponding to and equivalent
24 to, or more stringent than, regulations adopted by the
25 United States Environmental Protection Agency pursuant
26 to [RCRA] ... [a]ny person who owns or operates a hazard-
ous waste facility shall comply with this chapter and
regulations adopted thereunder and, in addition ... such
person shall also comply with federal regulations adopted
pursuant to Sections 3004 and 3005 of the that act [i.e.,
RCRA]. (emphasis added)

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1 13. The State of California, as of the date of this action, has
2 not adopted standards or regulations corresponding to and equivalent
3 to, or more stringent than, EPA regulations set forth at 40 CFR
4 Part 265, promulgated pursuant to Section 3004 of RCRA, 42 USC
5 6924. As a result, Respondents are subject to 40 CFR Part 265
6 through Section 25159.6 of the H&SC.

7 14. Section 3008 of RCRA, 42 USC 6928, authorizes the Administra-
8 tor of EPA to issue orders requiring compliance immediately or
9 within a specified time for violation of any requirement of
10 Subtitle C of RCRA, 42 USC 6921 et seq.

11 15. Section 3006 of RCRA, 42 USC 6926, provides, inter alia,
12 that authorized state hazardous waste programs are carried out
13 under Subtitle C of RCRA. Therefore, violation of any requirement
14 of law under an authorized state hazardous waste program is a
15 violation of a requirement of Subtitle C of RCRA.

16 16. Respondent, by violating requirements of California's author-
17 ized hazardous waste program, has violated Subtitle C of RCRA
18 and therefore is subject to the powers vested in the Administrator,
19 EPA, by Section 3008 of RCRA, 42 USC 6928.

20 C. VIOLATIONS

21 Count I

22 17. Section III.8(b)(2) of the permit [40 CFR 264.14(b)(2)(i)]
23 requires the Facility to have an artificial or natural barrier
24 which completely surrounds the active portion of the facility
25 which would prevent unauthorized entry.

26 18. On or about April 12, 1984, the EPA inspector observed and
27 photographed an opening in the perimeter fence of the Facility,
28 in violation of Section III.8(b)(2) [40 CFR 264.(b)(2)(i)].

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1 that Respondent's daily inspection report does not include data on
2 the level of waste in each tank, in violation of Section IV 3.(d)(3)
3 [40 CFR 264.194(a)(3)].

4 Count V

5 27. Section VIII of the ISD [40 CFR 265.90] requires the owner
6 or operator to implement a ground water monitoring program
7 capable of determining the facility's impact on the quality of
8 ground water in the uppermost aquifer underlying the facility,
9 or prepare a written ground water monitoring waiver demonstration
10 documenting the low potential for migration of hazardous waste
11 or hazardous waste constituents from the facility via the upper-
12 most aquifer to water supply wells or surface water.

13 28. On or about April 11 and 13, 1984, the EPA inspector observed
14 that Respondent has failed to implement a ground water monitoring
15 program capable of determining the Facility's impact on the
16 quality of ground water in the uppermost aquifer underlying the
17 Facility, and has failed to demonstrate that there is a low
18 potential for migration of hazardous waste or hazardous waste
19 constituents from the facility via the uppermost aquifer to water
20 supply wells or surface water, in violation of Section VIII of
21 the ISD [40 CFR 265.90]. The Facility's ground water monitoring
22 program is inadequate in that: 1) the ground water monitoring
23 system is not capable of yielding ground water samples which are
24 representative of background ground water quality in the uppermost
25 aquifer underlying the Facility; 2) the ground water sampling and
26 analysis plan does not include procedures and techniques for
27 sample shipment, analytical procedures and chain of custody
28 control; 3) Respondent has failed to analyze for all required

1 parameters; 4) Respondent has failed to obtain the required
2 replicate measurements for each ground water sample; 5) Respondent
3 has failed to establish the initial background arithmetic mean
4 and to determine statistically significant increases over initial
5 background; 6) Respondent has not determined the elevation of the
6 ground water surface each time a sample was obtained; and
7 7) Respondent has not prepared an outline of a ground water
8 quality assessment program.

9 Count VI

10 29. Section XII 1. of the ISD (40 CFR 265.222) requires a surface ✓
11 impoundment to have at least two feet of freeboard.

12 30. On or about April 12 and 13, 1984, the EPA inspector observed
13 that Pond 102B had less than two feet of freeboard, in violation of
14 Section XII 1. of the ISD (40 CFR 265.222).

15 Count VII

16 31. Section XII 2. of the ISD (40 CFR 265.223) requires all earthen
17 dikes to have a protective cover, such as grass, shale, or rock,
18 to minimize wind and water erosion and to preserve their structural
19 integrity.

20 32. On or about April 12 and 13, 1984, the EPA inspection revealed
21 that dikes at the Facility did not have protective cover, in violation
22 of Section XII 2. of the ISD (40 CFR 265.223).

23 Count VIII

24 33. Section IV 3.(f)(1)(b) of the permit [40 CFR 264.198(a)(2)]
25 prohibits ignitable or reactive waste from being placed in a
26 tank, unless the waste is stored or treated in a way that it is
27 protected from conditions which may cause the waste to ignite or
28 react.

34. On or about December 6, 1983, an explosion occurred in tank 23,
in violation of Section IV 3.(f)(1)(b) of the permit [40 CFR
264.198(a)(2)].

35. On or about February 29, 1984, an explosion occurred in tank
16, in violation of Section 3.(f)(1)(b) of the permit [40 CFR
264.198(a)(2)].

D. CIVIL PENALTY

Section 3008(g) of RCRA, 42 USC 6928(g), authorizes a civil
penalty of up to \$25,000 per day for each violation of Subtitle C
of RCRA, 42 USC 6921 et seq. EPA hereby assesses the following
penalties:

Count I

Failure to have a barrier which would prevent
unauthorized entry.....\$ 400

Count II, Count III, and Count IV

Failure to have a inspection schedule which
identifies the types of problems to be
looked for during the inspection.....\$ 7,000

Count V

Failure to implement an adequate ground water
monitoring program.....\$20,000

Count VI

Failure to maintain required freeboard
for surface impoundment.....\$ 500

Count VII

Failure to have protective cover on earthen
dikes.....\$ 9,000

Count VIII

Failure to protect ignitable or reactive waste
from conditions which may cause the waste
to ignite or react.....\$20,000

TOTAL PENALTY.....\$56,900

COMPLIANCE ORDER

A. PAYMENT OF CIVIL PENALTY

It is hereby ordered that Respondent shall submit a certified or cashier's check in the sum of FIFTY-SIX THOUSAND AND NINE HUNDRED DOLLARS payable to "Treasurer of the United States." The check shall be remitted to the Regional Hearing Clerk, U.S. EPA, Region 9, 215 Fremont Street, San Francisco, California 94105, within 30 days of the effective date of this Determination of Violation, Compliance Order and Notice of Right to Request a Hearing (hereinafter "Complaint").

B. COMPLIANCE

1. Respondent is ordered to come into compliance with the permit, the ISD, and with the requirements of 40 CFR Part 264 and 265; and to document said compliance by submittal of following items in the specified times frames.

<u>Compliance Required</u>	<u>Calendar Days from Effective Date of Order</u>
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Count I

A) Close opening in the fence.	5 days
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Count II, Count III, and Count IV

B) Submit inspection schedules which include the following items:

1) The appropriate inspection requirements of 40 CFR 265.13, 40 CFR 265.174, 40 CFR 265.194, 40 CFR 265.226, and 40 CFR 265.347; and

2) Identifies types of problems to be looked for during the inspection.	15 days
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	Calendar Days from Effective Date of Order
1	
2	<u>Compliance Required</u>
3	<u>Count V</u>
4	C) Submit an outline of a ground water
5	monitoring system which complies with
6	40 CFR Part 265 Subpart F.
7	
8	1) Identify at least one well location
9	which is hydraulically upgradient of
10	the waste management area and capable
11	of yielding ground water samples
12	representative of background and not
13	affected by the Facility.
14	
15	2) Certify that all existing monitoring
16	wells are designed to maintain the
17	integrity of the borehole, to enable
18	sampling at depths where appropriate
19	aquifer flow zones exist, and to prevent
20	contamination of samples and the
21	ground water.
22	
23	3) Submit an amended ground water sampling
24	and analysis plan which complies with
25	40 CFR 265.92(a).
26	
27	4) Submit an outline of a ground water
28	quality assessment program which
	complies with 40 CFR 265.93(a).
	5) Install upgradient/background
	ground water monitoring well
	6) Obtain and analyze samples from
	each monitoring well and submit
	analytical results to EPA and DOHS
	(analyze for all parameters speci-
	fied in 40 CFR 265.92(b))
	<u>Count VI</u>
	D) Increase the freeboard level at Pond 102A
	to at least two feet.
	<u>Count VII</u>
	E) Establish protective cover for earthen dikes.
	<u>Count VIII</u>
	F) Submit a plan including waste plan analysis
	plan to protect ignitable or reactive
	waste ignition or reaction in any tank.

1 2. Respondent shall provide documentation of compliance within
2 the time periods specified above to Chief, Toxics and Waste
3 Programs Branch, Toxics and Waste Management Division, U.S. EPA,
4 215 Fremont Street, San Francisco, California 94105, with a copy
5 to DOHS, Toxic Substances Control Division, 2151 Berkeley Way,
6 Berkeley, California 94704 and the Regional Water Quality Control
7 Board, 1111 Jackson Street, Room 6040, Oakland, California 94807.

8 3. In the event Respondent fails to comply with any provision
9 of this Compliance Order, then, in accordance with Section
10 3008(a)(3) of RCRA, 42 USC 6928(a)(3), Respondents shall be
11 liable for a civil penalty, in addition to the penalty set forth
12 in the Civil Penalty section of the Determination of Violation
13 herein, of not more than twenty-five thousand dollars (\$25,000.00)
14 for each day of continued noncompliance; and, in addition, permits
15 issued or authority to operate in lieu of the issuance of a permit
16 may be suspended or revoked.

17 NOTICE OF RIGHT TO REQUEST A HEARING

18 A. PUBLIC HEARING

19 In accordance with Section 3008(b) of RCRA, 42 USC 6928(b)
20 the Compliance Order set forth herein shall become final unless
21 Respondent file an Answer and request for public hearing in
22 writing no later than thirty days after the effective date of
23 this Complaint, with the Regional Hearing Clerk, EPA, Region 9,
24 215 Fremont Street, San Francisco, California 94105. A copy
25 of the Answer and request for hearing and copies of all other
26 documents relating to these proceedings filed with the Regional
27 Hearing Clerk should be sent to David M. Jones, Office of Regional
28 Counsel, at the same address as above.

1 The Answer must clearly and directly admit, deny or explain
2 each of the factual allegations contained in the Complaint with
3 regard to which you have any knowledge. A failure to admit,
4 deny or explain any material fact allegation will constitute an
5 admission of the allegation. The Answer must also state (1) the
6 circumstances or arguments which constitute the grounds of
7 defense and (2) the facts which you intend to place at issue.

8 If you fail to file a written Answer within thirty days of
9 the effective date of the Complaint, you may be found in default.
10 Respondent's default will constitute an admission of all facts
11 alleged in the Complaint and a waiver of your right to a hearing.
12 A default order may thereafter be issued by the Regional
13 Administrator, EPA, and the penalty proposed in the Complaint
14 will become due and payable without further proceedings.

15 The public hearing that you request will be held in a loca-
16 tion determined in accordance with the Consolidated Rules of
17 Practice Governing the Administrative Assessment of Civil Penal-
18 ties and the Revocation or Suspension of Permits, 40 CFR Part 22
19 (45 Fed. Reg. 24360), a copy of which accompanies the Complaint.
20 The hearing will be conducted in accordance with the provisions
21 of the Administrative Procedures Act, 5 USC 552 et seq., and
22 40 CFR Part 22.

23 B. INFORMAL SETTLEMENT

24 Whether or not you request a hearing, you may confer
25 informally with EPA to discuss the alleged facts, violations or
26 amount of the penalty. An informal conference does not, however,
27 affect your obligation to file a written Answer within thirty
28 days of the effective date of the Complaint. The informal

1 conference procedure may be pursued simultaneously with the
2 adjudicatory hearing procedure.

3 Any settlement reached as a result of an informal conference
4 will, in addition to the compliance schedule set forth in the
5 Order above, be embodied in a written Consent Agreement and Final
6 Order. The issuance of the Consent Agreement and Final Order will
7 constitute a waiver of your right to a hearing on any matter to
8 which you have stipulated.

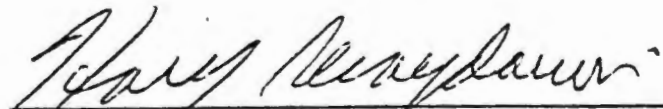
9 If a settlement cannot be reached through an informal con-
10 ference, the filing of a written Answer within thirty days of the
11 effective date of the Complaint upon you will preserve your right
12 to a hearing.

13 EPA encourages all parties against whom a penalty is proposed
14 to explore the possibility of settlement. To request an informal
15 conference, you should contact David M. Jones, Office of Regional
16 Counsel, at the above address, telephone number (415)974-7364.

17 The effective date of this Complaint is the date of
18 Respondents' receipt of the Complaint.

19
20 9/77/84

Date



Harry Seraydarian
Director

Toxics & Waste Management Division

FILED
FEB 21 1975

CLERK OF SUPERIOR COURT
COUNTY OF CONTRA COSTA

SCOTT W. GORDON, ESQ.
GORDON, DeFRAGA, WATROUS
& PEZZAGLIA, INC.
A Professional Corporation
611 Las Juntas Street
P.O. Box 630
Martinez, California 94553
Telephone: (415) 228-1400

Attorney for Defendant

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF CONTRA COSTA

STATE OF CALIFORNIA, EX REL
DEPARTMENT OF HEALTH
SERVICES,

Plaintiff,

v.

IT CORPORATION,

Defendant.

NO. 269037

CONSENT DECREE

The Plaintiff People of the State of California, ex rel Department of Health Services and the Defendant IT Corporation, by Gordon, DeFraga, Watrous & Pezzaglia, have agreed to the making an entry of this Consent Decree (hereinafter "Decree"), prior to any trial and without any admission of liability, responsibility, or fault, as to any of the matters herein ordered, adjusted, or decreed.

NOW THEREFORE, the Court makes the following findings:

1. The Court has jurisdiction over the subject matter c

1 this action pursuant to the Resource Conservation and Recovery Act
2 of 1976 (as amended 42 U.S.C. Sections 6901 et. seq.), the State of
3 California having state delegated authority to administer and
4 enforce the Act, and the Court has jurisdiction over the parties;

5 2. The undersigned representatives of the parties are
6 authorized by the party whom he or she represents to enter into the
7 terms and conditions of this decree as set forth herein.

8 3. IT Corporation owns and operates three facilities for
9 the off site treatment, storage, and/or disposal of hazardous
10 waste, hereinafter the Benicia site, the Vine Hill site, and the
11 Baker site.

12 4. On or about June 29, 1984, the Department of Health
13 Services of the State of California, (hereinafter "DOHS") referred
14 enforcement for alleged violations of permits to the Contra Costa
15 County District Attorney. The referral included the Benicia, Vine
16 Hill, and Baker sites.

17 5. On or about August 3, 1984, the Environmental
18 Protection Agency (hereinafter "EPA") gave notice to the DOHS,
19 State of California, of alleged violations of operating permits at
20 the Vine Hill and Baker sites. On or about May 23, 1984, the EPA
21 gave notice to the DOHS, State of California, of alleged violatio
22 at the Benicia site.

23 6. On or about September 19, 1984, in a pre-filing con-
24 ference, Contra Costa County Deputy District Attorney James L.
25 Sepulveda advised the IT Corporation of his intention to file a
26 civil action for injunctive relief, and civil monetary penalties

1 accordance with the referral and the EPA Notices to the State of
2 alleged violations.

3 7. On or about October 1, 1984, the EPA filed and served
4 "Determinations of Violations" and "Compliance Orders" against IT
5 Corporation, with respect to the Benicia, Vine Hill, and Baker
6 sites. IT Corporation filed answers to the respective violation
7 determinations on October 30, 1984.

8 8. On or about January 16, 1985, the California Regional
9 Water Quality Control Board (hereinafter "RWQCB") for the San
10 Francisco Bay Area Region, issued a Cleanup and Abatement Order
11 (CAO) to the IT Corporation for violations and threatened viola-
12 tions with respect to ground water and ground water monitoring for
13 the Benicia, Vine Hill, and Baker sites, which terms were approved
14 by representatives of the EPA and the DOHS, State of California.
15 The DOHS, by inter-agency agreement, has delegated to the Regional
16 Water Quality Control Boards in the various regions of the State of
17 California the administration and enforcement of ground water and
18 ground water monitoring provisions of the Resource Conservation and
19 Recovery Act ("RCRA"). A true and correct copy of the CAO issued
20 by the RWQCB is attached hereto and incorporated by reference as
21 though fully set forth herein, which the Court has read and con-
22 sidered.

23 9. The Plaintiff, State of California, filed its com-
24 plaint in this matter, and the Defendant, IT Corporation, has
25 accepted service thereof. The State of California appears throug
26 its attorney, James L. Sepulveda, Contra Costa County Deputy

1 District Attorney. The Defendant IT Corporation appears through
2 its attorney, Scott W. Gordon, Gordon, DeFraga, Watrous & Pezzaglia.

3 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED
4 AS FOLLOWS:

5 A. The Defendant IT Corporation, its officers, employees with
6 actual or constructive notice of the Decree are restrained and
7 enjoined from engaging in or performing, directly or indirectly,
8 the following:

9 i. Violating Health and Safety Code Section 25181 and
10 California Administrative Code (CAC) Title 22, Section 66381(a) by
11 knowingly or negligently failing to comply with any provision of
12 any Hazardous Waste Facility Permit or Interim Status Document
13 issued for the Defendant's Vine Hill, Baker, and Benicia facili-
14 ties, and shall come into compliance in accordance with Section B,
15 herein.

16 ii. Violating Business and Professions Code Section 1720
17 by knowingly or negligently failing to comply with any provision o
18 any Hazardous Waste Facility Permit or Interim Status Document
19 issued for any of the Defendant's Vine Hill, Baker, and Benicia
20 facilities, and shall come into compliance in accordance with
21 Section B, herein.

22 B. Defendant IT Corporation, its officers, and employees with
23 actual or constructive notice of this Decree are mandated to per-
24 form or cause to be performed the following:

25 i. Comply with the CAO issued by the RWQCB, attached
26 hereto and incorporated by reference as through fully set forth

1 herein dated January 16, 1985, with respect to ground water and
2 ground water monitoring at the Vine Hill, Baker, and Benicia sites.

3 ii. Complete the following remedial actions in the manner
4 and in the time frame hereinafter indicated:

5 a. Submit the Defendant's findings on the structural
6 integrity of the external and internal dikes that separate incompa-
7 tible wastes at the Vine Hill facility by March 31, 1985.

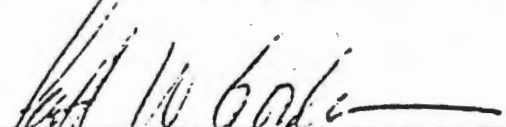
8 b. IT agrees to meet and confer with DOHS by March
9 29, 1985, in order to discuss DOHS concerns relating to IT's Vine
10 Hill and Oil Reprocess Facilities. If it is determined by DOHS
11 that additional remedial action should be undertaken by IT
12 Corporation, this decree may be amended to reflect the additional
13 compliance dates.


14 C. In consideration of the foregoing, and in consideration of any
15 and all past violations known or unknown with respect to the admin-
16 istration and enforcement of hazardous waste laws, rules, and regu-
17 lations governing the transport, storage, treatment, or disposal o
18 hazardous waste, without trial or adjudication of any facts or
19 issues of law herein, and without this Decree constituting evidenc
20 of, or an admission of guilt of any act or thing or of any allega-
21 tion of the Complaint, the Defendant agrees pursuant to Health and
22 safety Code Section 25189(b) and Business and Professions Code
23 Section 17206, that it shall pay to the Plaintiff, the sum of
24 Thirty Thousand Dollars (\$30,000.00) as and for a civil penalty.
25 Said sum shall be due and payable on or before March 1, 1985, and
26 shall be made payable to "Treasurer, Contra Costa County".

1 D. Interest at the rate of ten percent (10%) per annum from March
2 1, 1985, shall be added to the payment set forth in C. above in the
3 event said payment is not timely made.

4 E. Jurisdiction is retained by the Court for a period of 365 days
5 following the entry of this Decree for the purpose of enabling any
6 party to this Decree to apply to the Court for such further orders
7 and directions as may be necessary or appropriate to assure com-
8 pliance with the terms of the Decree or for the determination of
9 violations of the Decree, if any there be. Said injunction shall
10 terminate without further order of the Court 365 days after entry
11 of this Consent Decree.

12 DATED: February 21, 1985.

13
14 
15 SCOTT W. GORDON, ESQ.
16 Counsel for Defendant
IT Corporation

17
18 
19 JAMES L. SEPULVEDA, ESQ.
20 Counsel for Plaintiff
21 State of California

22 IT IS SO ORDERED.

23
24 Dated: FEB 21 1985

25 
26 JUDGE OF THE SUPERIOR COURT